IN THE HIGH COURT OF UTTARAKHAD AT NAINITAL

Writ Petition No. 155 of 2006 (S/B)

Alam Singh Karasi s/o Late Shri Bagh Singh,
R/o 44, Doon Ghati Awas Samiti, Sarvodaya Nagar,
Post Office Defence Colony, Dehradun ….. Petitioner

Versus

1. State of Uttar Pradesh through
Secretary, Industries, Civil Secretariat,
Uttar Pradesh, Lucknow.

2. Director of Industries,
Uttar Pradesh, Kanpur.

3. Khadi Evam Gramodyog Board,
8 Tilak Marg, Lucknow through
its Chief Executive Officer.

4. Upper Mukhya Karyapalak Adhikari,
Khadi Evam Gramodyog Board,
Gayatri Niwas, Swaroop Nagar, Kanpur

5. Up-Mukhya Karyapalak Adhikari,
Khadi Evam Gramodyog Board, Kumaon Division,
Haldwani, District Nainital.

6. Principal, Divisional Training Centre,
Khadi Evam Gramodyog Board,
Kaladhungi, District Nainital ….. Respondents

…….

Sri Rajendra Dobhal, Advocate for the petitioner.
Smt. Bina Pande, Standing Counsel (U. P. Government) for the respondents.

JUDGMENT

Coram: Hon'ble Rajeev Gupta, C.J.
Hon'ble J.C.S.Rawat, J.

RAJEEV GUPTA, C.J. (Oral)

Sri Rajendra Dobhal, Advocate for the petitioner.

Smt. Bina Pande, Standing Counsel (U. P. Government) for the respondents.

They are heard.

2. Petitioner Alam Singh Karasi has filed this writ petition for the following reliefs:

> " i. issue a writ, order or direction in the nature of Certiorari, calling for the records and quashing the entire proceedings as well as charge-sheet dated 13.12.1988, 26.8.1989 and 3.9.1990 (Annexures 2, 3 and 4 to this writ petition), issued by Upper Mukhya Karyapalak Adhikari, Khadi Evam Gramodyog Borard, Gayatri Niwas, Swaroop Nagar, Kanpur – respondent no. 4.
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> ii. issue a writ, order or direction in the nature of Mandamus, commanding the respondent authorities to pay all the post retirement benefits and final pension to the petitioner, along with 12% per annum interest w.e.f. the date, from when the amount is outstanding with the respondent authorities.
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> iii. pass any other and further orders, which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.
>
> iv. Award the cost of the writ petition to the petitioner."

3. The petitioner, thus, in substance, was seeking quashing of the charge-sheet and the departmental proceedings initiated against him. In addition, the petitioner is seeking a direction to the respondents to finalise the petitioner's pension matter and to pay all the post retirement benefits with interest.

4. It appears that the petitioner's pension matter could not be finalised for a sufficient time in spite of the fact that the petitioner retired long back in the year 1993 on account to the pendency of the departmental proceedings against him, which were finally dropped vide order dated 10.10.2006 by the respondent no. 3.

5. Sri Rajendra Dobhal, the learned counsel for the petitioner, submitted that in spite of lapse of about one year after the departmental proceedings were dropped against the petitioner vide order dated 10.10.2006, the respondents have not finalised the petitioner's pension matter so far.

6. As the departmental proceedings against the petitioner have already come to an end, as apparent from the dated 10.10.2006, a copy whereof has been filed as CA-1 with the counter affidavit filed on behalf of respondents 3 to 6. respondent no. 3 – Chief Executive Officer, Khadi Evam Gramodyog Board, 8 Tilak Marg, Lucknow – is directed to finalise the petitioner's pension matter, if not already finalised, and to take all consequential steps in accordance with law within a period of four months from today.

7. With the above direction, the writ petition stands disposed of.

(J.C.S.Rawat, J.) 29.10.2007

(Rajeev Gupta, C. J.) 29.10.2007

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